

MINUTE ITEM

30. AUTHORIZATION FOR TRANSFER OF CONTROL AND POSSESSION FROM DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, TO STATE LANDS COMMISSION, SOVEREIGN LAND CLAIM, VICINITY OF PETALUMA CREEK BRIDGE, HIGHWAY 37, MARIN COUNTY - W.O. 5573, J.T.I..6.

After consideration of Calendar Item 17 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED:

1. TO EXECUTE THE AGREEMENT TRANSFERRING FROM THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, TO THE STATE LANDS COMMISSION CONTROL AND POSSESSION OF THE FOLLOWING-DESCRIBED SOVEREIGN LAND:

A PORTION OF THAT PARCEL OF LAND DESCRIBED IN DEED NO. 6420 FROM HARVEY J. WINSTEL AND HARRIET A. WINSTEL, HIS WIFE, TO THE STATE OF CALIFORNIA, RECORDED SEPTEMBER 22, 1949, IN VOLUME 626 OF OFFICIAL RECORDS OF MARIN COUNTY AT PAGE 300, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF SAID PARCEL, DISTANT THEREON N.  $10^{\circ}28'20''$  W., 48.05 FEET FROM THE SOUTHERLY TERMINUS OF THE COURSE DESCRIBED AS "NORTH  $11^{\circ}09'$  WEST 150.0 FEET" IN SAID PARCEL; THENCE N.  $45^{\circ}41'11''$  E., 83.67 FEET; THENCE N.  $46^{\circ}38'10''$  E., TO THE NORTHEASTERLY LINE OF SAID PARCEL; THENCE ALONG LAST SAID LINE IN A NORTHWESTERLY DIRECTION TO SAID WESTERLY LINE; THENCE ALONG SAID WESTERLY LINE S.  $10^{\circ}28'20''$  E., 101.95 FEET TO THE POINT OF COMMENCEMENT. CONTAINING 0.081 OF AN ACRE, MORE OR LESS; AND

2. TO RECORD THE TRANSFER AGREEMENT IN THE OFFICE OF THE MARIN COUNTY RECORDER.

Attachment

Calendar Item 17 (1 page)

CALENDAR ITEM

17.

AUTHORIZATION FOR TRANSFER OF CONTROL AND POSSESSION FROM DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, TO STATE LANDS COMMISSION, SOVEREIGN LAND CLAIM, VICINITY OF PETALUMA CREEK BRIDGE, HIGHWAY 37, MARIN COUNTY - W.O. 5573.

In 1949 the Department of Public Works, Division of Highways, acquired land for the construction of a highway bridge over Petaluma Creek. A portion of the land acquired by the Division of Highways is waterward of the ordinary high water mark in this area, as determined by a 1950 State Lands Commission survey. Upon completion of the bridge, the subject parcel was declared "excess" by Highways and therefore subject to sale. However, upon being apprised of the sovereign lands claim, the Division of Highways agreed to quitclaim this land to the State Lands Commission.

The State Lands Commission's claim of ownership has been clouded by the prior series of transactions. The transfer from Division of Highways will enable Highways to complete their records and will carry the chain of title back to the State Lands Commission. No monetary consideration is involved.

A copy of the agreement is attached as Exhibit "A"; (Division of Highways Drawings M740.0 and M740.1 are attached hereto as Exhibits "B" and "C" respectively). The Division of Highways, through its Headquarters Office, has processed a Property Survey Report which is based on Exhibit "A". The Property Survey Report has been approved and executed.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED:

1. TO EXECUTE THE AGREEMENT TRANSFERRING FROM THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, TO THE STATE LANDS COMMISSION CONTROL AND POSSESSION OF THE FOLLOWING-DESCRIBED SOVEREIGN LAND:

A PORTION OF THAT PARCEL OF LAND DESCRIBED IN DEED NO. 6420 FROM HARVEY J. WINSTEL AND HARRIET A. WINSTEL, HIS WIFE, TO THE STATE OF CALIFORNIA, RECORDED SEPTEMBER 22, 1949, IN VOLUME 626 OF OFFICIAL RECORDS OF MARIN COUNTY AT PAGE 300, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF SAID PARCEL, DISTANT THEREON N. 10°28'20" W., 48.05 FEET FROM THE SOUTHERLY TERMINUS OF THE COURSE DESCRIBED AS "NORTH 11°09' WEST 150.0 FEET" IN SAID PARCEL; THENCE N. 45°41'11" E., 83.67 FEET; THENCE N. 46°38'10" E., TO THE NORTHEASTERLY LINE OF SAID PARCEL; THENCE ALONG LAST SAID LINE IN A NORTHWESTERLY DIRECTION TO SAID WESTERLY LINE; THENCE ALONG SAID WESTERLY LINE S. 10°28'20" E., 101.95 FEET TO THE POINT OF COMMENCEMENT. CONTAINING 0.031 OF AN ACRE, MORE OR LESS; AND

2. TO RECORD THE TRANSFER AGREEMENT IN THE OFFICE OF THE MARIN COUNTY RECORDER.